

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—GENERAL

Case No. **SACV 15-922-KK**

Date: November 30, 2017

Title: ***Gary Kaseman v. Nancy A. Berryhill***

Present: The Honorable **KENLY KIYA KATO, UNITED STATES MAGISTRATE JUDGE**

DEB TAYLOR

Deputy Clerk

Not Reported

Court Reporter

Attorney(s) Present for Plaintiff(s):

None Present

Attorney(s) Present for Defendant(s):

None Present

Proceedings: (In Chambers) Order re: Petition for Approval of Attorney Fees Under 42 U.S.C. § 406(b) [Dkt. 23]

On November 7, 2017, Plaintiff Gary Kaseman’s (“Plaintiff’s”) counsel, Troy Monge of the Law Offices of Martin Taller, APC (“Counsel”), filed a Petition for Approval of Attorney’s Fees Under to 42 U.S.C. § 406(b) (“Petition”). See ECF Docket No. (“Dkt.”) 23. Counsel’s Petition seeks attorney’s fees pursuant to a fee agreement. *Id.* The Petition cites to paragraph four of a Fee Agreement, which Counsel quotes as, “In the event my claim is appealed to the federal court level and thereafter benefits become payable, I understand that my attorney may petition SSA and/or the federal court for approval of attorney fees up to 25% of past-due benefits due me and my family.” Dkt. 23, Petition at 1-2. However, the paragraph Counsel refers to appears to have been intentionally stricken from the Fee Agreement signed by Plaintiff. Dkt. 23-1, Fee Agreement, Ex. 1.

Accordingly, Counsel’s Petition is DENIED without prejudice.

IT IS SO ORDERED.